

after ten days they may accept the same. Controversies with the contractor may be settled by submitting the matters in question to referees chosen in the usual manner, or the contractor or claimant may be left to his action at law, but in the meantime the public may use the improvement. After the work has been accepted the persons who are liable to pay for the same shall not be entitled to set up any defects in the work or material as a ground for exempting them from paying their contribution. As soon as the work has been accepted, or as soon as any dispute is settled by arbitration or suit at law, the Mayor and Council, upon their previous order fixing the proportion which each person liable to pay shall contribute, shall ascertain the entire expense for the improvement and shall assess each person who is liable with his proper share of said expense, and to this end the Mayor and Council shall pass an order wherein the persons who are bound to pay any portion of the expenses, and the property on account of which they are bound to pay the same shall be mentioned, and each of said persons shall be ordered to pay the treasurer of Berlin his proper part of the expense. The said assessment shall be a tax and it shall bind the property affected thereby, and to such property it shall be a lien thereon with a priority over all other liens; a copy of the order may be filed and recorded in the office of the clerk of the Circuit Court for Worcester county if the amounts ordered to be paid therein be not paid in thirty days after the passage of the order, and the lien may be enforced by scire facias, or bill in equity, as in the case of a mechanic's lien. If the property affected, and on account of which, the assessment was made, is not sufficiently described for identification, the description may be perfected in the writ of scire facias, or bill in equity. If scire facias is resorted to, a separate writ shall be issued in the case of each person who has not paid his assessment, but if in any case two or more persons are together liable to pay the same on account of the same property, one scire facias shall suffice for all such parties. But all the assessments may be adjusted under the same bill and decree in a court of equity; the property of infants shall be affected equally with that of adults under and by virtue of such assessment; but in the case of infants the proceedings to enforce the same shall be by bill in equity; the judgment under scire facias or the decree in equity shall set forth the priority which the assessment made by the order of the Mayor and Council holds and possess the premises; under the decree the payment of the lien may be compelled by execution or by appointment of a trustees to sell. The adjusters shall be paid one